

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, MAY 29, 1990  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:02 a.m. The meeting was recessed by Mayor O'Connor at 10:15 a.m. The meeting was reconvened by Mayor O'Connor at 10:31 a.m. with all members of the Council present. The meeting was recessed by Mayor O'Connor at 12:00 O'Clock noon to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Wolfsheimer at 2:00 p.m. with Mayor O'Connor and Council Members Roberts, Pratt, Bernhardt, and Filner not present. A quorum was not present. Council Member Roberts entered 2:05 and a quorum was present. Mayor O'Connor recessed the meeting at 3:00 p.m. to meet as the Redevelopment Agency and the Special Joint Council Meeting with the Redevelopment Agency. Mayor O'Connor reconvened the meeting at 4:01 p.m. with Council Members Pratt and Henderson not present. Mayor O'Connor adjourned the meeting at 4:03 p.m. to meet in Closed session on pending litigation at 2:00 p.m. on June 4, 1990, in the twelfth floor conference room.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present

- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (mp;eb)

FILE LOCATION: MINUTES

May-29-1990

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

May-29-1990

ITEM-10: INVOCATION

None.

FILE LOCATION: MINUTES

May-29-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Pratt.

FILE LOCATION: MINUTES

May-29-1990

ITEM-30: APPROVED MINUTES

Approval of Council Minutes for the Meetings of:

04/19/90 Special

04/23/90

04/24/90

04/25/90 Special

04/30/90

05/01/90

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A122-128.)

MOTION BY BERNHARDT TO APPROVE THE MINUTES. Second by Pratt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-90-1981) ADOPTED AS RESOLUTION R-275757

Commending PRIME (Pacific Rim Interface Member Enterprises, Inc.) for its efforts in furthering the education of the San Diego Community through its scholarship program for San Diego teachers in celebration of World Trade month.

SUPPORTING INFORMATION: In an extraordinary outreach to San Diegans, PRIME not only has luncheons where Pacific Rim companies can meet those in the San Diego Community who can help them with business issues, but PRIME also outreaches through a yearly scholarship program. This program, the "PRIME Educational Mission Scholarship Program," which is limited to teachers in San Diego School District, was originally designed to accommodate one person per year for an all expense paid trip to Japan, usually sends two teachers each year. PRIME's generosity is to be commended.

PRIME, working with San Diego City Schools, searches for quality responses to its essay questionnaire, spends months reading essays then invites local businesses to judge the essays. The project conceived by PRIME's president Ichiro Wachi, is visionary and a wonderful outreach to the San Diego Community. PRIME exemplifies the spirit and contribution which small business makes to San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A032-104.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-50: (O-90-155) ADOPTED AS ORDINANCE O-17471 (New Series)

Applying the Hillside Review Overlay Zone (HR) to a parcel in the Golden Hill Community Plan Area.

(District-8. Introduced on 5/15/90. Council voted 6-0. Districts 4, 6 and 7 not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A142-147.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-51: (O-90-111) ADOPTED AS ORDINANCE O-17472 (New Series)

Amending Chapter IX, Article 3, of the San Diego Municipal Code to adopt, by reference, the 1988 Uniform Plumbing Code and the 1988 Uniform Mechanical Code by amending the title to Chapter IX, Article 3; by repealing Sections 93.00.0002, 93.00.0003, 93.00.0004, 93.00.0005, 93.00.0201, 93.00.0313, 93.00.0403, 93.00.0409(a), 93.00.0912, 93.00.1007(e), 93.00.1206(c), 93.0404, 93.1705, 93.1706, 93.1707, 93.1708, 93.1709, 93.1710, 93.1711, 93.1712 and 93.1714; by amending Sections 93.0110, 93.0111 and 93.0112; by amending and renumbering Sections 93.00.0000, 93.0102, 93.0103, 93.00.0001, 93.0105, 93.0106, 93.0107, 93.0108, 93.00.1010, 93.0301.1, 93.0302, 93.0302.1, 93.0304, 93.0304.1, 93.0113, 93.0405, 93.0401.1, 93.0401.3, 93.0114 and 93.0115; by adding a new Section 93.0102; by amending the title to Division 2, and Division 5; by adding Division 6, Sections 93.0601 and 93.0602; and by repealing the title to Division 17.

(Introduced on 5/14/90. Council voted 7-0. Districts 4 and 7 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A142-147.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Bernhardt. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

\* ITEM-52: (O-90-172) INTRODUCED, TO BE ADOPTED JUNE 11, 1990

Introduction of an Ordinance amending Chapter I, Article 3, Division 3, of the San Diego Municipal Code, to include the Water Utilities Director as a department director authorized to pursue violations of the Municipal Code relevant to his responsibilities, and to increase the penalty from \$300 per day per violation to \$2,500 per day per violation, by amending Section 13.0303 and 13.0332, relating to Nuisance Violations and Civil Penalties - Procedures, and amending Chapter VI, Article 4, Division 3, of the San Diego Municipal Code by amending Section 64.0301, repealing Section 64.0302 and renumbering Sections 64.0303 through 64.0308 relating to General Provisions - Wastewater System, to include the Water Utilities Director.

CITY MANAGER SUPPORTING INFORMATION: This action will add the Water Utilities Director to: 1) The list of department directors authorized to issue nuisance violations with summary or administrative abatement notices; and 2) the list of department directors authorized to impose civil penalties as a necessary alternative method of enforcement of the San Diego Code as listed in Subsection B of both Section 11.16 and Section 11.19.

This item is "housekeeping" in nature to reflect current authorizations found elsewhere in the Municipal Code: Sections 67.13, 67.15, 67.30, 67.32, 67.37, and 67.38, dealing with the Water Loss Prevention/Prosecution Program; Section 67.03, 67.05 and 67.07 which addresses Food Establishment Wastewater Control-The War on Grease; and Section 11.12 regarding violations, misdemeanors and infractions of City Code. This action will officially allow the Water Utilities Director to issue these notices of abatement and to assess civil penalties for violations of all water and sewer related sections of the Municipal Code.

WU-U-90-143.

FILE LOCATION:    - -

COUNCIL ACTION:   (Tape location: A148-151.)

CONSENT MOTION BY PRATT TO INTRODUCE. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-100: (R-90-1613) ADOPTED AS RESOLUTION R-275793

Awarding contracts for the purchase of bond xerographic high speed copy paper, as may be required for the period of six months beginning June 1, 1990 through November 30, 1990, at an estimated total cost of \$99,812.96, including tax and terms, as follows: (BID-H1407/90)

1. Butler Paper for Section I, virgin paper, with an option to renew the contract for one additional six month period, with price increase not to exceed six percent of original prices.
2. Noland Paper Company for Section II, recycled paper, with an option to renew the contract for one additional six month period, with price increase not to exceed four percent of original prices.

FILE LOCATION:    CONT - PURCHASE - Butler Paper, Noland Paper  
Company    CONFY90-2

COUNCIL ACTION:   (Tape location: A167-177;A248-250;D090-100.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-101: (R-90-1614) ADOPTED AS RESOLUTION R-275758

Awarding a contract to Aztec Landscape Co. for furnishing complete landscape maintenance of designated street medians and rights-of-way within the Rancho Bernardo Landscape

Maintenance District, as may be required for a period of one year beginning July 1, 1990 through June 30, 1991, for a total estimated cost of \$54,400, with options to renew

the contract for four additional one year periods with price escalation not to exceed 15 percent of prices in effect at the end of each prior year; in the event the contractor fails to perform to specifications, the Purchasing Agent is authorized to terminate the contract and to award to the next low responsible and responsive bidder and to subsequent bidders, if necessary, until a contractor is found who can perform to specifications. (BID-1366/90).  
(District-1.)

FILE LOCATION: STRT M-212 CONTFY90-1

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-90-1594) ADOPTED AS RESOLUTION R-275759

19900529

Inviting bids for the Improvement of Cabrillo Heights Neighborhood Park - Access Road on Work Order No. 119442; authorizing the execution of a contract with the lowest responsible bidder; authorizing the transfer of \$30,000 from PSD Fund No. 11390 to CIP-29-724, Cabrillo Heights Neighborhood Park - Access Road; authorizing the expenditure of funds not to exceed \$50,000 from PSD Fund No. 11390, CIP-29-724, Cabrillo Heights Neighborhood Park - Access Road, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1421/90)  
(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Cabrillo Heights Neighborhood Park is located between Kearny Villa Road and Afton Road south of Aero Drive in the Serra Mesa Community. This project will provide an 800-foot long access road from the

center of the multi-purpose fields to the Afton Road parking lot. The project was requested by the community and will improve vehicular access to the concession area of the park. The FY 90 CIP shows the design of this project in FY 90 and construction in FY 91. Design has proceeded rapidly and construction will occur in FY 90. Therefore, the FY 91 financing must be transferred to the project.

FILE LOCATION: W.O. 119442 CONT - O & B Matthews Const.,  
Inc. CONTFY90-1

COUNCIL ACTION: (Tape location: A152-164.)  
CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-90-1615) ADOPTED AS RESOLUTION R-275760

19900529

Inviting bids for the Construction of Traffic Signal and Street Lighting Systems at Midway Drive and Wing Street at Moore Street and Old Town Avenue on Work Order No. 119233; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$177,000 from Fund 30300, CIP-68-010.0 Construct Top 10-15 Prioritized Traffic Signals Proposition "A", for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-68-010.0. (BID-K1496/90)

(Midway and Old San Diego Community Areas. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program projects to install a traffic signal and street lighting system will provide for the safe passage of emergency equipment, pedestrian and vehicles through each of these intersections. Emergency vehicle preemption equipment is included as part of the work.

Aud. Cert. 9000888.

FILE LOCATION: W.O. 119233 CONT - Knox Electric, Inc. CONTFY90-1

COUNCIL ACTION: (Tape location: A152-164.)



CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104:

Three actions relative to the final subdivision map of Del  
Mar Country Plaza, a 9-lot subdivision located  
southwesterly of Del Mar Heights Road and Carmel Country  
Road:

(North City West Community Area. District-1.)

Subitem-A: (R-90-1912) ADOPTED AS RESOLUTION R-275761

Authorizing the execution of a Subdivision Improvement  
Agreement with Ernest Rady, as Trustee of the Ernest Rady  
Trust, for the installation and completion of public  
improvements.

Subitem-B: (R-90-1911) ADOPTED AS RESOLUTION R-275762

Approving the final map.

Subitem-C: (R-90-1913) ADOPTED AS RESOLUTION R-275763

Vacating the City's interest in an unneeded drainage  
easement affecting Parcel 1 of Parcel Map PM-13449,  
pursuant to Section 8300 et seq. of the Streets and  
Highways Code.

FILE LOCATION: Subitem-A,B: SUBD - Del Mar Country Plaza;  
Subitem-C: DEED F-5277 DEEDFY90-1  
CONTFY90-1

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-105:

Two actions relative to the Balboa Avenue (2,700' E/O  
Clairemont Drive to Mt. Everest Blvd.) Underground Utility  
District:

(Clairemont Mesa Community Area. District-6.)  
Subitem-A: (R-90-1918) ADOPTED AS RESOLUTION R-275764

Designating July 1, 1990 as the date upon which all property in the Balboa Avenue (2,700' E/O Clairemont Drive to Mt. Everest Blvd.) Underground Utility District must be ready to receive Underground Service and August 1, 1990 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-90-1919) ADOPTED AS RESOLUTION R-275765

Authorizing the City Auditor and Comptroller to open Fund No. 78046 for the purpose of depositing Public Utilities Commission Case No. 8209 Utility Undergrounding Allocation Funds for the Balboa Avenue 2,700' E/O Clairemont Drive to Mt. Everest Blvd.) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment to all property owners in the Balboa Avenue (2,700' E/O Clairemont Drive to Mt. Everest Blvd.) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 15 feet; authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice from SDG&E that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The Balboa Avenue (2,700' E/O Clairemont Dr. to Mt. Everest Blvd.) Underground

Utility District was created by the City Council on November 24, 1987. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set July 1, 1990 as the Customer Ready Date, which will require that, upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish August 1, 1990 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed

dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.  
Aud. Cert. 9000962.

FILE LOCATION: STRT K-176

COUNCIL ACTION: (Tape location: A152-164.)  
CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-106: (R-90-1894) ADOPTED AS RESOLUTION R-275766

Ordering changes and modifications in assessments in Assessment District No. 4013 (Calle Cristobal). (1913 Improvement Act).

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On May 23, 1989, City Council confirmed and levied assessments for the Calle Cristobal/Camino Santa Fe Assessment District. Subsequently, staff realized two assessments were inadvertently miscalculated. In order to modify these assessments to accurately reflect the

benefit received from the improvements, a consent and waiver form has been signed by the affected property owner. The consent and waiver form is on file in the office of the City Clerk as Document No. D-2258-16. If Council approves the changes shown below, they will be incorporated into the Calle Cristobal/Camino Santa Fe Assessment District Engineer's Report thereby accurately reflecting the intended assessments.

Property Description

Assessment No.	APN	Original Asmt.	Modified Asmt.
617	308-072-04-00	\$19,302.77	\$14,661.79
631	308-072-09-00	14,661.79	21,992.70
		\$33,964.56	\$36,654.49

FILE LOCATION: STRT D-2258

COUNCIL ACTION: (Tape location: A181-170.)

MOTION BY BERNHARDT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-107:

Two actions relative to the Mission Valley Heights Assessment District (No. 4025) (1913 Improvement Act): (Mission Valley Community Area. District-5.)

Subitem-A: (R-90-1920) ADOPTED AS RESOLUTION R-275767

Authorizing the City Manager to execute an Acquisition/Financing Agreement with the property owner; authorizing the City Manager to execute an agreement with BSI Consultants, Inc. for assessment engineering services in an amount not to exceed \$33,600; authorizing the City Manager to execute an agreement with Bartle Wells Associates for financial consulting services in an amount not to exceed \$35,000; establishing a special Improvement Fund designated by the name and number of the Assessment District, and into said fund shall be placed all proceeds from the sale of bonds and cash collections.

Subitem-B: (R-90-1921) ADOPTED AS RESOLUTION R-275768

Certifying that the information contained in the Addendum to EIR-80-12-26, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: On March 7, 1988, City Council accepted the property owner petition which was signed by the developer representing 100 percent of the land area in the proposed district. The subdivision contains 29 lots covering approximately 85 acres of land zoned for commercial and industrial use. The improvements to be acquired by the City through the assessment district proceedings include grading, curb and gutter, sidewalk, paving, sewer, water and storm drain facilities, dry utilities, street lights and a traffic signal. Under the newly revised Council Policy 800-3, "Public Infrastructure Financing Assessment Districts and Community Facilities Districts," this type of project would not be eligible to receive assessment district financing because the improvements do not provide an extraordinary benefit to the

City. However, it was verbally communicated and included in the Manager's Report (CMR-89-368) to the TLU Committee, with no opposition, to grandfather this project through the assessment district process since Council accepted the property owner petition to allow assessment district financing prior to revising Council Policy 800-3.  
Aud. Cert. 9000975.

FILE LOCATION: STRT D-2273 CONFY90-1 CCONFY90-2

COUNCIL ACTION: (Tape location: A171-204; A262-276.)  
MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-108: (R-90-1866) ADOPTED AS RESOLUTION R-275794

Recognizing Julie Barker, a Mentor Teacher for the fifth/sixth grade GATE cluster class at Benchley/Weinberger Elementary School, for her vision and ability in providing meaningful education to her students in San Diego.

(San Carlos Community Area. District-7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A152-164;F545-550.)  
Council Member McCarty commented on the achievements of Julie Barker.  
BY COMMON CONSENT TO ADOPT. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109:

Two actions relative to authorizing Suggestion Awards to the following City employees:

Subitem-A: (R-90-1873) ADOPTED AS RESOLUTION R-275769

Jill Degnan - Risk Management Department - \$500.

Subitem-B: (R-90-1874) ADOPTED AS RESOLUTION R-275770

James H. Kline - Fire Department - \$50.  
Janice J. Rogers - Police Department - \$90.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-110: (R-90-1932 Rev.1) ADOPTED AS AMENDED AS RESOLUTION  
R-275771

19900529

Authorizing the City Manager to formally support the San  
Diego County Water Authority's supplemental financing  
program for water reclamation as recommended by the Ad Hoc  
Water Reclamation Review Committee and as set forth in City  
Manager's Report CMR-90-228.  
(See City Manager Report CMR-90-228.)

COMMITTEE ACTION: Reviewed by PSS on May 16, 1990.  
Recommendation to approve the City Manager's recommendation.  
Districts 2, 3, 4, 5, and 7 voted yea.  
WU-CWP-90-164.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A213-250;A279-561.)

MOTION BY ROBERTS TO ADOPT AS AMENDED ENDORSING THE  
RECOMMENDATION AND TO REQUEST THAT THE COUNTY WATER  
AUTHORITY

CONTINUE TO SUPPORT FINANCIALLY THOSE STUDIES TO EXPAND WATER RECLAMATION IN ADDITION TO THE SUBSIDY THAT WAS WORKED OUT FOR THE RECLAMATION PROGRAM. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-90-1871) ADOPTED AS RESOLUTION R-275772

Requesting a grant in the amount of \$277,000 from the Department of Boating and Waterways for the improvement of the boat launching facilities at Santa Clara Point.  
(See City Manager Report CMR-90-236. Mission Bay Community Area. District-6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112: (R-90-1916) ADOPTED AS RESOLUTION R-275773

Authorizing the City Manager to accept a \$260,000 grant from the U.S. Department of Housing and Urban Development (HUD) for the provision of homeless services in the San Diego area; authorizing agreements with the following agencies to operate programs designed to assist the homeless population in the San Diego area: Catholic Charities, Episcopal Community Services, Saint Vincent de Paul, San Diego Housing Commission, San Diego Youth and Community Services, County of San Diego, Love's Gifts,

together with any reasonably necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of these agreements; authorizing the expenditure of an amount not to exceed \$260,000 from Fund No. 185251 for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: The City has applied for and received funding under the Emergency Shelter Grant section of the Homeless Assistance Act. A total of \$260,000 is

available to provide services to the homeless population in the San Diego area. The following programs to be administered by seven different agencies, are recommended for funding: 1) The Women's Shelter Program (\$20,000) will provide shelter to homeless women over a 17-month period. In excess of 3,000 bed nights will be available under this program to be operated by Catholic Charities; 2) The Emergency Shelter Program (\$23,000) operated by Episcopal Community Services will provide 4,376 bed nights to homeless individuals over an 18-month contract period; 3) The San Diego Shelter Program (\$84,800) will provide 13,128 bed nights to homeless individuals. The 18-month program will be operated by St. Vincent de Paul; 4) The North City Voucher Program (\$20,200) will assist homeless agricultural workers and their families. The program, operated by the Housing Commission, would assist with rental expenses, deposits, and/or first/last month's rent requirements, with the program's participants obligated to pay a portion of his/her salary to offset rental costs; 5) The Youth Shelter Program (\$60,000) is designed to provide shelter to homeless youths 12 to 18 years of age over an 18-month period. This is not designed to assist runaway youths, but is for youngsters that will never return to their often traumatic homes due to varied circumstances. Over 5,000 bed nights will be available to youths under this program operated by S.D. Youth & Community Services; 6) The Interfaith Shelter Program (\$45,000) enlists faith groups who open their facilities to assist homeless individuals/families during the cold/winter season. In excess of 750 individuals will receive shelter under this 18-month program. This is a cooperative program with the County who will act as the administering agency; 7) The Perishable Food Program (\$7,000) is designed to pick up food from hotels, delicatessens, restaurants, et al, that might otherwise go to waste, and deliver them to agencies that assist the homeless. Over 3,000 pounds of food per month will be picked up and dispersed by Love's Gifts.

Aud. Cert. 9000969.

FILE LOCATION: MEET CONFY90-7

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.



\* ITEM-113: (R-90-1870) ADOPTED AS RESOLUTION R-275774

Authorizing the City Manager to execute a Letter of Intent to become a co-applicant with other San Diego County entities for a National Pollutant Discharge Elimination System (NPDES) storm water discharge permit; authorizing the City Manager to negotiate an Implementation Agreement with all other co-applicants establishing the responsibilities of each party with respect to compliance with NPDES storm water permit requirements.  
(See City Manager Report CMR-90-239.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-114: (R-90-1807) ADOPTED AS RESOLUTION R-275775

Authorizing the execution of a one-year extension to the agreement with San Diego Regional Center for the Developmentally Disabled, until June 30, 1991, for the purpose of selling Dial-A-Ride services to their designated clients attending day programs, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of the project and agreement.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Regional Center provides educational and rehabilitative services to developmentally disabled clients attending day programs within the City. Many of Regional Center's clients are eligible to purchase a limited amount of Dial-A-Ride coupons at 75 percent or 85 percent discount. Most Dial-A-Ride trips are on an occasional, individual basis and the passenger pays the driver with coupons. Regional Center's program transportation is designed so that several clients travel in a single vehicle from various locations to a common destination on a daily basis. A third party billing arrangement among the transportation operator, the City, and the agencies is a more efficient method of payment in these instances. These agreements allow San Diego

Regional Center to purchase Dial-A-Ride service at: (1) 25 percent of cost for their clients who are eligible for the City's monthly allocation for taxi trips; (2) 15 percent of cost for clients who are eligible for the City's monthly allocation for wheelchair lift-equipped van services; (3) 100 percent of cost for services provided to their clients who are not eligible for the City's subsidy. The provider will invoice the City for the service; the City will bill the agencies for the provider's cost less any applicable Dial-A-Ride subsidy. The City entered into a similar agreement with San Diego Regional Center for FY 1986, 87, 88, 89, and 90.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-115: (R-90-1925) CONTINUED TO JUNE 11, 1990

Authorizing the execution of an agreement with Normal Heights Community Development Corporation to carry out a planning study in the Normal Heights Community, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$50,000 from Fund No. 18525, Dept. No.

5883, Org. No. 8309 to Fund No. 18525, Dept. No. 5886, Org. No. 8606; authorizing the expenditure of an amount not to exceed \$50,000 from Fund No. 18525, Dept. No. 5886, Org. No. 8606, for the purpose of providing funds for the above project.

(Mid-City and North Park Community Areas. District-3.)

CITY MANAGER SUPPORTING INFORMATION: In November, 1989, the City Council approved a request from the Normal Heights Community Development Corporation (NHCDC) for \$50,000 in CDBG funds to conduct certain studies related to planning in the Normal Heights area. This agreement would formalize the administrative relationship between the City and NHCDC and define the scope of services which NHCDC will perform. The

scope of services for the agreement requires that NHCDC will subcontract with appropriate consultants including, but not limited to:

1. Evaluate land use and zoning.
2. Identify strategies to strengthen the commercial and residential areas.
3. Assess City statutes and ordinances regarding fire and police activities.
4. Inventory population, density, school enrollment, crime, utilities infrastructures, etc.

The entire \$50,000 has been allocated for consultant services and materials to conduct the above studies. City staff is not budgeted to provide in-depth assistance to NHCDC. The NHCDC will, therefore, be primarily responsible for developing, coordinating and administering the necessary contracts, monitoring and critiquing the consultant work products and providing other necessary technical advice to the consultants. Aud. Cert. 9000965.

FILE LOCATION:    - -

COUNCIL ACTION:    (Tape location: A112-120.)

MOTION BY PRATT TO CONTINUE TO JUNE 11, 1990, AT THE REQUEST OF THE CITY MANAGER FOR TIME FOR FURTHER REVIEW. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-116: (R-90-1914)    ADOPTED AS RESOLUTION R-275776

Authorizing the execution of an agreement with Kercheval Engineers for professional services in connection with the design of the East Linda Vista Trunk Sewer, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$257,167 from Sewer Revenue Fund No. 41506, CIP-46-162.0, for the purpose of providing funds for the above project; authorizing the City Manager to finance or refinance this agreement with tax-exempt securities if circumstances warrant.

(Linda Vista Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The East Linda Vista Trunk Sewer is currently flowing at capacity. This project will provide capacity for existing and future flows in the Linda Vista community. This project will investigate the various replacement/rehabilitation and/or diversion alternatives. Engineering consultant services are required to evaluate these various alternatives. The request for engineering services for the East Linda Vista Trunk Sewer was advertised on June 23, 1989. Of the 28 letters of interest received, six firms were considered in the final selection process. On August 31, 1989, these firms were interviewed in conformance with Council Policy 300-7, and Kercheval Engineers, an MBE firm, was selected.

The agreement provides for the investigation of alignment alternatives; geotechnical and capacity needs; the preparation of construction drawings, specifications and cost estimates for construction; and assistance during the construction phase. Kercheval Engineers is a registered MBE with the City of San Diego. Subconsultants will perform 16.7 percent of the work. Project subconsultants are: Photogeodetic, Aerial Photogrammetry (7.0 percent); Kleinfelder, Geotechnical (5.6 percent); and Linscott, Law and Greenspan, Traffic (4.1 percent).

Aud. Cert. 9000953.

WU-U-90-148.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-117: (R-90-1931) ADOPTED AS RESOLUTION R-275777

Authorizing the execution of an Amendment No. 5 to the Agreement of March 22, 1988 with James M. Montgomery, Consulting Engineers, Inc., in connection with the Clean Water Program; authorizing the City Auditor and Comptroller to transfer the amount of \$260,268 within the Sewer Revenue Fund No. 41506, from CIP-46-155.0, State Ocean Plan Compliance Project, to CIP-46-147.0, Modified Wastewater Treatment Facilities Plan; authorizing the expenditure of

an amount not to exceed \$260,168 from the Sewer Revenue Fund No. 41506, CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, for providing funds for the above project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances warrant.

(See City Manager Report CMR-90-232.)

COMMITTEE ACTION: Reviewed by PSS on 5/16/90.  
Recommendation to approve the City Manager's recommendation.  
Districts 2, 3, 4, 5, and 7 voted yea.  
Aud. Cert. 9000976.  
WU-CWP-90-171.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A152-164.)  
CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-118: (R-90-1841) ADOPTED AS RESOLUTION R-275778

Authorizing the City Manager to amend the consultant contract with P & D Technologies, to provide additional environmental services, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of the project and contract; authorizing the expenditure of an amount not to exceed \$27,020 from the Airports 41100 Enterprise Fund for the purpose of providing funds for the above project; authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

(See City Manager Report CMR-90-205. Otay Mesa Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 5/9/90. Recommendation to authorize the City Manager to bring to the next City Council meeting a request for Council action to expend the necessary funds for additional environmental services for the Brown Field Airport Master Plan Study. Districts 1, 3, 6, 7 and 8 voted

yea.

CITY MANAGER SUPPORTING INFORMATION: City Council is requested to authorize (1) an amendment to the consultant agreement between the City and P&D Technologies and (2) the expenditure of \$27,020 for additional environmental services for the Brown Field Airport Master Plan Study. During the course of the study, it was determined that an Environmental Assessment (EA) would be required in addition to the Environmental Impact Report (EIR) because of the proposed construction of an additional runway. The cost of the EA is estimated at \$10,000. The environmental analysis of the area where the new runway is being proposed resulted in the discovery of three prehistoric sites. In accordance with the California Public Resources Code and City of San Diego Guidelines the resource sites will require further testing to evaluate their significance and determine the potential for adverse impact. Any recovered artifacts will require laboratory analysis and the sites will have to be recorded with local archeological clearing houses. The estimated cost of this additional archeological work is \$17,020. The total cost of additional services in the Brown Field project is \$27,020. These funds are available in the Airports Enterprise 41100 Fund.

Aud. Cert. 9000934.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-119: (R-90-1876) ADOPTED AS RESOLUTION R-275779

Approving Change Order No. 2, dated March 2, 1990, issued in connection with the contract with L. R. Hubbard Construction Company, Inc., for Front Street and First Avenue - Extension to Harbor Drive, amounting to a net increase in the contract price of \$43,812.42, and an extension of time of 30 working days.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On March 7, 1989, City Council by Resolution R-273017, authorized funding and advertising for bids for construction of Front Street/First

Avenue - Extension to Harbor Drive, CIP-52-363.0. Change Order No. 2 represents the final project Change Order and provides increases/decreases of various bid items along with several negotiated items of work necessary to complete the construction in accordance with the improvement plans. The net change for all modification is \$43,812.42. These improvements are a joint project between the City and CCDC. Approximately \$41,800 of the net change order amount is related to requested work by CCDC and will be their financial responsibility. The remaining approximately \$2,000 will be the City's financial responsibility. These changes were necessary due to existing conditions encountered during construction. The major change order item was removal of concrete in the street subgrade encountered during street reconstruction. This resulted in a net increase of \$11,510.19 to the contract price. Aud. Cert. 9000958.

FILE LOCATION: CONT - L. R. Hubbard Construction Company,  
Inc. CONTFY90-1

COUNCIL ACTION: (Tape location: A152-164.)  
CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-120: (R-90-1905) ADOPTED AS RESOLUTION R-275780

Approving Change Order No. 8, dated April 12, 1989, issued in connection with the contract with Daley Corporation, for the Improvement of Ingraham Street Bridge over Fisherman's Channel, amounting to a net increase in the contract price of \$20,008; approving Supplement 1 to Change Order No. 8, dated February 16, 1990, amounting to a net increase in the contract price of \$7,200.

(Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On April 18, 1988, a construction contract in the amount of \$11,436,203.13 for the Improvement of Ingraham Street Bridge Over Fisherman's Channel was authorized with Daley Corporation. Change Order No. 8 was requested by the City to control the storm drain outlets into Mission Bay for the purpose of intercepting the contaminated drainage flow. The interception project is part of an ongoing effort to enhance Mission Bay. During the construction of work

authorized by Change Order No. 8, part of the existing bridge abutment footing was found to be in conflict with the proposed improvements. The removal of the existing footing is necessary to complete the work and will be authorized by Change Order No. 8 Supplement No. 1.  
Aud. Cert. 9000959.

FILE LOCATION: CONT - Daley Corporation CONTFY90-1

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-90-1725) ADOPTED AS RESOLUTION R-275781

Establishing a special trust fund, entitled "Buenos and Morena Traffic Signal Trust Fund," for the purpose of acting as a repository of funds, to be used solely and exclusively for installing a traffic signal at the intersection of Buenos Avenue and Morena Boulevard.  
(See City Manager Report CMR-89-518. District-6.)

COMMITTEE ACTION: Reviewed by TLU on 11/13/89.

Recommendation to direct the City Manager and City Auditor to establish a "Buenos and Morena Traffic Signal Trust Fund" into which community donations may be deposited solely for this purpose. The Committee requested the City Manager to review this intersection for possible supplemental funding in the FY 1991 budget process. Districts 2, 4 and 5 voted yea. District 8 voted nay. District 1 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (R-90-1583) RETURNED TO CITY MANAGER

(Continued from the meeting of April 16, 1990, Item 114, at



Councilmember Bernhardt's request, for further review.)  
Inviting bids for the Construction of Traffic Signal and  
Street Lighting Systems at Erma Road and Scripps Ranch  
Boulevard on Work Order No. 119502; authorizing the  
execution of a contract with the lowest responsible bidder;  
authorizing the expenditure of funds not to exceed \$95,000

from Fund 79007, CIP-62-275.0, Traffic Signals - FBA  
Funded, for said project and related costs; authorizing the  
Auditor and Comptroller, upon advice from the administering  
department, to retain excess budgeted funds, if any, in  
CIP-62-275.0. (BID-K1381/90)

(Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital  
Improvement Program project to install a traffic signal system  
provides for the safe passage of emergency equipment,  
pedestrians and vehicles through the intersection. Traffic  
signal features include protected left-turn pockets and  
emergency vehicle preemption equipment on Scripps Ranch Blvd.  
Aud. Cert. 9000780.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A112-120.)

MOTION BY PRATT TO RETURN THE ITEM TO THE CITY MANAGER AT THE  
CITY MANAGER'S REQUEST FOR REPRIORITIZING. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-90-1979) ADOPTED AS RESOLUTION R-275782

In the matter of:

Council authorization of the City Manager to amend the  
agreement with Hartson Medical Services to allow an  
additional fees increase.

Council authorization of the City Manager to amend the  
agreement with Hartson to allow certain contract  
modifications.

Council authorization of the City Manager to enter into  
negotiations with Hartson for a two-year extension of the  
paramedic services agreement.

Council direction to the City Manager to prepare a detailed  
report with costs for a Fire Department-based paramedic  
program.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A512-C350.)

MOTION BY PRATT TO APPROVE STAFF RECOMMENDATION AND TO DIRECT THE CITY MANAGER TO REPORT BACK IN THREE WEEKS WITH THE FOLLOWING INFORMATION: (1) A REPORT ON PUBLIC MODEL VERSUS PRIVATE MODEL WITH INFORMATION ON THE OPERATIONAL AND FINANCIAL DIFFERENCES; (2) RESPONSE TIME BY ZONES, NUMBER OF UNITS OUT AT ANY ONE GIVEN TIME; (3) TRANSITIONAL ISSUES WITH REGARD TO WHAT HAPPENS TO PARAMEDICS AND EMTs. WOULD THEY BE HIRED BY THE FIRE DEPARTMENT? WHAT HAPPENS TO THEIR RETIREMENT BENEFITS AND SENIORITY? WHAT WOULD BE THE CAREER LADDERS FOR EMTs AND FIREFIGHTERS? (4) HOW WOULD THE BILLINGS AND THE COST ASSOCIATED WITH THE BILLINGS PROCESS BE HANDLED? (5) WHAT WOULD BE THE SPECIFIC START-UP COSTS FOR BILLINGS, EQUIPMENT PURCHASE FOR FIRE TRUCKS, LIABILITY, PERSONNEL, EMTs, FIREFIGHTERS/PARAMEDICS AND TRAINING? (6) WHAT ARE THE BENEFIT PACKAGES FOR PARAMEDICS AND EMTs UNDER BOTH SYSTEMS? (7) HOW WILL THE HIGH MEDICAL SERVICES AREAS BE GUARANTEED A FIRE SUPPRESSION UNIT IF ALL FIRE TRUCKS ARE RESPONDING TO A MEDICAL CALL? AND (8) HOW WILL AN AMBULANCE PARAMEDIC WORK WITH THE FIREFIGHTER PARAMEDIC WHILE ADMINISTERING LIFE-SAVING SERVICES?. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-330: (R-90-1675) ADOPTED AS RESOLUTION R-275795

Vacation of Collier Avenue west of Winona Avenue under Resolution of Intention R-275535, adopted April 23, 1990.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The abutting property owner has requested the vacation of the unimproved portion of Collier Avenue west of Winona Avenue. The vacation is to accommodate a room addition proposed by the adjacent southerly property owner and to deter illegal dumping, vandalism, and other illicit activities from occurring within this particular right-of-way. The subject right-of-way is located in the Mid-City Community Plan area and is situated within the R1-5,000 Zone. The area-of-vacation totals approximately 4,397 square feet and presumably will revert entirely to the adjacent southerly property owner. The square footage of the southerly property will increase from

7,884 square feet to approximately 12,281 square feet. This increase will provide the potential for the creation of one additional lot for single-family residential development. Any proposal for the creation of an additional single-family residence will require a discretionary permit. The Planning Department has no objections to the proposed vacation, and the Planning Commission recommended approval on August 10, 1989, by a 7-0 vote. The subject vacation is graded but otherwise unimproved and provides alternate access to the north/south alley to the west from Winona Avenue. The right-of-way is 30 feet wide and was dedicated to public use per the Montecello Subdivision, Map-1154, in 1908. The subsequent subdivisions did not extend Collier Avenue westerly or provide additional right-of-way to widen Collier beyond its present half width. Vehicular circulation and adequate access will remain to the north/south alley via Adams Avenue to the south and Lucille Drive to the north. The area-of-vacation contains franchise facilities for which an easement has been acquired. Furthermore, a permit has been issued to construct standard curb, gutter, and sidewalk across the vacated area at Winona. Staff review has indicated that the right-of-way to be vacated is no longer needed for present or prospective public use and may be vacated.

FILE LOCATION: DEED F-5278 STRT J-2739 DEEDFY90-1

COUNCIL ACTION: (Tape location: D110-163.)

Hearing began 2:08 p.m. and halted 2:11 p.m.

Testimony in favor by John Scarborough.

MOTION BY HARTLEY TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331:

Request to operate a radio broadcast and transmission facility (KIFM), involving the placement of a microwave antenna on the roof of an existing six-story office tower.

The subject property (approximately 4.22-acres) is located at 3655 Nobel Drive, south of Nobel, east of I-5, west of Lebon Drive and north of Charmant Drive, in Zone CO, in the

University Community Plan area. The subject property is

further described as Lot 10, Map-10987.

(CUP-89-1353. District-1.)

Subitem-A: (R-90-2039) ADOPTED AS RESOLUTION R-275796

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-1353 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-2040) ADOPTED AS RESOLUTION R-275797  
GRANTING PERMIT

Adoption of a Resolution granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: Subitems A and B PERM - CUP-89-1353

COUNCIL ACTION: (Tape location: D163-183.)

Hearing began 2:12 p.m. and halted 2:13 p.m.

MOTION BY HARTLEY TO ADOPT SUBITEM-A AND SUBITEM-B GRANTING THE PERMIT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

May-29-1990

ITEM-332:

1. Request to subdivide a 34.4-acre site into 59 lots for single-family residential development. The subject property is located at the east end of Oakview Way, south of Poway Road, and is more particularly described as all of Map-12256, as filed in the office of the County Recorder of San Diego County, and a portion of the east half of Section 22, Township 14 South, Range 2 West, SBM in Zones A1-10,000 and R1-6000 HRO within the Sabre Springs Community Plan area.
2. Proposal to vacate a portion of Oakview Way, as provided for under Section 66499.20-1/2 of the State

Map Act, in conjunction with the proposed Vesting  
Tentative Map VTM-89-0577.

(VTM-89-0577. District-5.)

Subitem-A: (R-90-2147) ADOPTED AS RESOLUTION R-275798

Adoption of a Resolution certifying that the information contained in DEP No. 89-0577, which is an Addendum to Environmental Impact Report EIR-86-0885 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-90-2148) ADOPTED AS RESOLUTION R-275799  
GRANTING MAP

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

Subitem-C: (R-90-1811) ADOPTED AS RESOLUTION R-275800

Adoption of a Resolution authorizing the vacation of a portion of Oakview Way as provided for under Section 66499.20-1/2 of the State Map Act.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has been initiated by the submission of the Tentative Parcel Map for the Resubdivision of South Creek Parcels 35-48, Unit 4 (TM-89-0577). The tentative map proposes a 59-lot subdivision of 34.4 acres, which includes the vacation area. The street vacation and adjacent properties are located within the Sabre Springs Community Plan area and are to be developed for very low density residential use (1.7 dwelling units per acre) for development. Development within the proposed subdivision is controlled by Planned Residential Development Permit PRD-86-0885. The proposed vacation and development are consistent with the General Plan and the Sabre Springs Community Plan. The Subdivision Board recommended approval of the tentative map on February 12, 1990, by a 3-0 vote. The subject right-of-way is 56 feet wide and dead-ends approximately 320 feet northeast of Mountain Pass Road, where it terminates into a standard dedicated cul-de-sac. The street is improved and does not contain public utilities or franchise facilities. The tentative map proposes a slight realignment and

extension of Oakview Way to accommodate public access to the adjoining properties rather than with private access as previously proposed. The necessary public improvements will be provided as part of the subdivision process.

Staff review has indicated that the right-of-way to be vacated will no longer be required for present or prospective public use when the final map for the Resubdivision of South Creek Parcels 35-48, Unit 4, is approved. It is, therefore, recommended that the vacation be approved, conditioned upon the recordation of the final map for the Resubdivision of South Creek Parcels 35-48, Unit 4 (TM-89-0577).

FILE LOCATION: Subitems A and B SUBD - South Creek  
Resubdivision of Parcels 35-48, Unit 4,  
Subitem-C DEED F-5279 STRT J-2742  
DEEDFY90-1

COUNCIL ACTION: (Tape location: D183-196.)

Hearing began 2:13 p.m. and halted 2:14 p.m.

MOTION BY McCARTY TO APPROVE GRANTING THE MAP. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-333: (R-90-2269) ADOPTED AS RESOLUTION R-275801 GRANTING THE APPEAL

Appeal of Mr. and Mrs. James M. Waters from the decision of the Historical Site Board, in designating the structure at 3768 Albatross (McDonald-Fowler-Mack House), in the Uptown Community Plan area, as a historic site.

(District-8.)

(Planning Department recommended historic site designation of the structure; was opposition. Historical Site Board voted 9-3 to designate the structure as a historic site.)

(The Uptown Planners has been notified of this project and has not submitted a recommendation.)

Today's action is:

Adoption of a Resolution granting or denying the appeal and

granting or denying the historical designation, with appropriate findings to support Council action.

FILE LOCATION: GENL - Historical Site Board Decisions and Appeals, etc., McDonald-Fowler-Mack House

COUNCIL ACTION: (Tape location: D196-E080.)

Hearing began 2:15 p.m. and halted 2:43 p.m.

Testimony requesting a continuance by Jim Waters.

Testimony in opposition by Kathryn Willetts and Deirdre Lee.

Testimony in favor by Jim Waters.

Testimony in opposition by Don Reeves.

The hearing was closed.

MOTION BY FILNER TO GRANT THE APPEAL TO DESIGNATE THE SUBJECT PROPERTY GRADE 4 WITH A DEMOLITION PERMIT TO BE ISSUED AFTER 30 DAYS DURING WHICH TIME THE HOUSE WILL REMAIN OPEN FOR SALE, AND THAT THE MITIGATION SUGGESTED BY THE CHAIR OF THE HISTORIC SITES BOARD, THAT IS THE PHOTOGRAPHING AND DOCUMENTATION OF THE HOUSE, BE CARRIED OUT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-334: (R-90- ) CONTINUED TO JULY 3, 1990 2:00 P.M.

Appeal of Willis M. Allen, Jr., by Marie Burke Lia, Attorney, from the decision of the Historical Site Board in designating the Crystal Pier Administration Building as a historical site. The subject property is located at the end of Garnet Avenue, in the Pacific Beach Community Plan area.

(District-6.)

Adoption of a Resolution granting or denying the appeal and granting or denying the historic site designation of the pier administration building, with appropriate findings to support Council action.

FILE LOCATION: GENL - Historical Site Board Decisions and Appeals, etc, Crystal Pier

COUNCIL ACTION: (Tape location: D090-110.)

MOTION BY HENDERSON TO CONTINUE TO JULY 3, 1990, 2:00 P.M. AT HIS REQUEST TO ALLOW AN OPPORTUNITY FOR THE PACIFIC BEACH TOWN COUNCIL TO REVIEW THE MATTER. Second by Wolfsheimer. Passed by

the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Pratt-not present, Bernhardt-not present, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

May-29-1990

ITEM-335: (R-90-2270) ADOPTED AS RESOLUTION R-275802 GRANTING  
THE APPEAL AND GRANTING THE VARIANCE

(Continued from the meeting of May 15, 1990, Item 332, at  
Councilmember Henderson's request, for further review.)

Appeal of Ronald B. and Constance J. Reagan, from the  
decision of the Board of Zoning Appeals in granting  
variance (Case C-20481), subject to conditions. Applicant  
requested the variance to maintain a 402 square foot first  
and second story addition to a nonconforming single-family  
dwelling resulting in a floor area ratio of 0.76 where 0.60  
is the maximum permitted (dwelling observed a 0.63 floor  
area ratio prior to construction of this addition). The  
subject property is located at 3562 Moultrie Avenue, in  
Zone R1-5000, in the Clairemont Mesa Community Plan area,  
and is further described as Lot 41, Block 4, American Park  
Addition, Map-983.

(Case C-20481. District-6.)

Adoption of a Resolution granting or denying the appeal and  
granting or denying the variance, with appropriate findings  
to support Council action.

FILE LOCATION: ZONE Zoning Appeals, Case C-20481

COUNCIL ACTION: (Tape location: E080-225.)

Hearing began 2:45 p.m. and halted 2:58 p.m.

Testimony in favor by Constance Reagan and Ronald B. Reagan.

MOTION BY HENDERSON TO GRANT THE APPEAL AND GRANT THE VARIANCE.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

May-29-1990

\* ITEM-S400:

Three actions relative to commendations for outstanding  
community service:

Subitem-A: (R-90-1991) ADOPTED AS RESOLUTION R-275783



Recognizing and commending Arthur S. Lujan, 1990 Labor  
Leader of the Year.

Subitem-B: (R-90-1996) ADOPTED AS RESOLUTION R-275784

Recognizing and commending Paul Blackwood, 1990 Retired  
Labor Leader of the Year.

Subitem-C: (R-90-1995) ADOPTED AS RESOLUTION R-275785

Recognizing and commending Jerry Butkiewicz, recipient of  
the "Johns" Fellowship Award.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S401:

Two actions relative to the final subdivision map of Lusk  
Mira Mesa Business Park East II, Unit No. 1, a 27-lot  
subdivision located northwesterly of Mira Mesa Boulevard  
and Camino Santa Fe:

(Mira Mesa Community Area. District-5.)

Subitem-A: (R-90-1939) ADOPTED AS RESOLUTION R-275786

Authorizing the execution of a Subdivision Improvement  
Agreement with Lusk-Smith/Mira Mesa North for the  
installation and completion of public improvements.

Subitem-B: (R-90-1938) ADOPTED AS RESOLUTION R-275787

Approving the final map.

FILE LOCATION: SUBD - Lusk Mira Mesa Business Park East II,  
Unit No. 1 CONFY90-1

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S402:

Two actions relative to the Tierrasanta Facilities Benefit  
Assessment:  
(See City Manager Report CMR-90-211 and Committee  
Consultant Analyses TLU-90-25 and TLU-89-17. Tierrasanta  
Community Area. District-7.)

Subitem-A: (R-90-1881) ADOPTED AS RESOLUTION R-275788

Approving the document entitled "Tierrasanta Public  
Facilities Financing Plan and Facilities Benefit  
Assessment, January, 1990 - Revised April, 1990."

Subitem-B: (R-90-1882) ADOPTED AS RESOLUTION R-275789

Resolution of Intention to designate an area of benefit in  
Tierrasanta and setting the time and place for holding a  
public hearing.

COMMITTEE ACTION: Reviewed by TLU on 5/14/90. Recommendation  
to approve the City Manager's recommended F.B.A. plan and  
financing schedule with the addition of "fair share" financing  
for the Light Rail Transit (LRT) studies for the I-15 corridor.  
Districts 1, 2 and 5 voted yea. Districts 4 and 8 not present.

FILE LOCATION: STRT FB-10

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403:

Two actions relative to the Sabre Springs Facilities  
Benefit Assessment:  
(See City Manager Report CMR-90-212, Committee Consultant  
Analyses TLU-90-25 and TLU-89-17. District-1.)

Subitem-A: (R-90-1877) ADOPTED AS RESOLUTION R-275790

Approving the document entitled "Sabre Springs Public Facilities Financing Plan and Facilities Benefit Assessment - April, 1990."

Subitem-B: (R-90-1878) ADOPTED AS RESOLUTION R-275791

Resolution of Intention to designate an area of benefit in Sabre Springs and setting the time and place for holding a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 5/14/90. Recommendation to approve the City Manager's recommended F.B.A. plan and financing schedule with the addition of "Fair Share" financing for the Light Rail Transit (LRT) studies for the I-15 corridor.

FILE LOCATION: STRT FB-9

COUNCIL ACTION: (Tape location: A130-142.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S404: (R-90-1942) ADOPTED AS RESOLUTION R-275792

Authorizing the City Manager to accept a deed from Russell V. Grant, conveying to the City approximately 2.16 acres, with an appraised value of \$501,691, identified as portions of Parcels 1 and 2 of Parcel Map PM-11933 and Pueblo Lot 1109; authorizing the execution of a grant deed, conveying to Russell V. Grant approximately 1.29 acres, with an appraised value of \$427,150, identified as a portion of Camino Del Rio North relinquished to the City by the State on June 29, 1972, in exchange for the above described 2.16 acres; acknowledging that the difference in value of \$74,541 is to be payable to Russell V. Grant by Homart, the developer of the adjacent property.  
(Located northerly of Interstate 8 and easterly of Stadium Way. Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: As a condition of the City-approved Centerside II Planned Commercial Development Project, PCD-86-0681, the developer has realigned and improved a portion of Camino Del Rio North between Stadium Way and Mission City Parkway. As a result of this realignment, a portion of

Camino Del Rio North was vacated and replaced by the new improved portion. Mr. Grant is the owner of the property through which the new portion of roadway was realigned. His property adjoins the vacated roadway. This vacated roadway lies between Interstate 8 and Mr. Grant's property. It is the desire of the Property Department and Mr. Grant that an exchange of lands be consummated. This would allow for a more orderly development and better utilization of the lands involved by both parties.

Value of Grant Land (New Roadway)	\$501,691
Value of City Land (Vacated Roadway)	\$427,150
Cash Flow to Grant	\$74,541

FILE LOCATION: DEED F-5280 DEEDFY90-1

COUNCIL ACTION: (Tape location: A152-164.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Hartley requested a copy of Council Policy from the City Manager dealing with the use of armed force. Council Member Filner requested a report regarding circumstances of recent use.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E245-253.)

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 4:03 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F550.